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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: WALLACE Owen Brendan Group Art Unit: 1625
Serial No.: 10/597090 Examiner: Chang, Celia
Application Date: January 18, 2005 Conf No.: 5866
US Nat'l Entry Date (if applicable): July 11, 2006
For: SELECTIVE ESTROGEN RECEPTOR MODULATORS

Docket No.: X16065

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

This paper is filed in response to the Office action of May 11, 2009. In response to the restriction requirement set forth in the Office Action of May 11, 2009, Applicants hereby make the following election and amendment to reflect the elected invention. Applicants request entry of the amendments prior to further actions on the merits.

Applicants hereby elect the invention of Group I with traverse only to the extent that claim 12 is a method of use, that Applicants respectfully maintain is appropriately included in Group I, that is:

Claims 5, 9, 18, drawn to piperidiny1 compounds, compositions and method of use hereof, classified in class 546 subclass 197. If this group is elected, a further election of a single disclosed species is also required. Claims 1-4, 6-8, 14-17, 19-21 reading on m=1 can be prosecuted together with the election.

Further, solely for purposes of searching the invention, Applicants elect the species of Example 7, that is 8-Ethanesulfonyl-5-[4-(2-piperidin-1-yl-ethoxy)-phenyl]-5H-6-oxa-chrysen-2-ol.

Applicants reserve the right to file one or more divisional or continuation applications to claim non-elected subject matter.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.